

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION**

<b>RUBEN MIDYETT</b>	<b>:</b>	<b>DOCKET NO. 3:22-cv-03985</b>
<b>VERSUS</b>	<b>:</b>	<b>JUDGE JAMES D. CAIN, JR.</b>
<b>STATE FARM FIRE &amp; CASUALTY CO., ET AL.</b>	<b>:</b>	<b>MAGISTRATE JUDGE KAY</b>


**JUDGMENT**

For the reasons contained in the Report and Recommendation of the Magistrate Judge previously filed herein [doc. 22], after an independent review of the record, noting the absence of objections thereto, and concurring with the Magistrate Judge's findings under applicable law; it is

**ORDERED, ADJUDGED, AND DECREED** that the Report and Recommendation [doc. 22] is **ADOPTED**. Accordingly, **IT IS ORDERED** that the Motion to Dismiss [Doc. 10] be **DENIED**. **IT IS FURTHER ORDERED** that this matter is **DISMISSED WITHOUT PREJUDICE** for plaintiff's failure to prosecute and abide by the orders of the court.

This civil action may be reinstated within 30 days for good cause shown, per W.D. La. Loc. Civ. R. 41.3. Any such showing to be made in writing and filed into the record of this matter.

**THUS DONE AND SIGNED** in Chambers on the 13th day of December, 2023.

  
**JAMES D. CAIN, JR.**  
**UNITED STATES DISTRICT JUDGE**